

**MILLS & ONELLO LLP**

ATTORNEYS AT LAW  
INTELLECTUAL PROPERTY LAW

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STATUS AND ENTITY  
BRANCH

2004 MAR 30 PM 3:47

FACSIMILE: (617) 742-7774

March 23, 2004

#181 Reg for  
renewal  
04-26-04

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Attn: Deposit Account

Re: U.S. Patent Application No. 10/054,084, filed January 22, 2002  
Our Reference: BRD-0002CIP2  
Deposit Account No.: 501798

Dear Sirs:

After reviewing our February 2004 Monthly Statement of Deposit Account (copy attached), we noticed charges totaling \$900 in the referenced patent application. The statement included two postings for the referenced application, a charge of \$770 in the referenced patent application for fee code 1801 (Request for Continued Examination (RCE)) and a charge of \$130 under fee code 1460 (Petitions to the Commissioner). We agree with the \$130 charge, as a petition was filed with the RCE on February 20, 2004 (copy attached).

We believe that the charge of \$770 is incorrect, since Small Entity status has been claimed in the application. We therefore believe that a credit is due for half of the \$770 charge, or \$385.

We respectfully request that this matter be reviewed, and that our deposit account 501798 be credited in the amount of \$385. Please feel free to contact us if we can answer any questions regarding this matter.

Very truly yours,

MILLS & ONELLO LLP

Date:

March 23, 2004  
MILLS & ONELLO LLP

Eleven Beacon Street, Suite 605

Boston, Massachusetts 02108

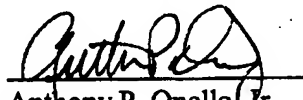
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APO/las

Enclosures

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Anthony P. Onello, Jr.

Registration No.: 38,572

Attorney for Applicant

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### Deposit Account Statement

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Requested Statement Month:

February 2004

Deposit Account Number:

501798

Name:

MILLS & ONELLO LLP

Attention:

LISA A SANDERS

Address:

ELEVEN BEACON STREET

City:

BOSTON

State:

MA

Zip:

02108

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
02/02	351	10649556	SAM0450	8007	\$20.00	\$12,663.00
02/02	569	10459943	SAM-0445	8007	\$20.00	\$12,643.00
02/05	17	10690324	SAM-0442	8007	\$60.00	\$12,583.00
02/20	117	10054084	BRD-0002CIP2 1480		\$130.00	\$12,453.00
02/20	118	10054084	BRD-0002CIP2 1801		\$770.00	\$11,683.00
02/25	139	09679699	SAM-147	1504	\$270.00	\$11,413.00
02/25	141	09679699	SAM-147	8001	\$30.00	\$11,383.00
02/25	332	60442465	MIT-10000JP	8007	\$20.00	\$11,363.00
02/25	333	10701799	MIT-10000JP	8007	\$20.00	\$11,343.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$12,683.00	\$1,340.00	\$0.00	\$11,343.00

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# UNITED STATES PATENT AND TRADEMARK OFFICE

Effective October 1, 2003

STATUS AND ENTITY

BRANCH

Any fee amount paid on or after October 1, 2003, must be paid in the revised amount.

The fees subject to reduction for small entities that have established status (37 CFR 1.27) are shown in a separate column.

For additional information, please contact the General Information Services Division at (703) 308-4357 or (800) 786-9199.

Fee Code	37 CFR	Description	Fee	Small Entity Fee (if applicable)
<b>Patent Application Filing Fees</b>				
1001/2001	1.16(a)	Basic filing fee - Utility .....	770.00	385.00
1201/2201	1.16(b)	Independent claims in excess of three .....	86.00	43.00
1202/2202	1.16(c)	Claims in excess of twenty .....	18.00	9.00
1203/2203	1.16(d)	Multiple dependent claim .....	290.00	145.00
1051/2051	1.16(e)	Surcharge - Late filing fee or oath or declaration .....	130.00	65.00
1002/2002	1.16(f)	Design filing fee .....	340.00	170.00
1007/2007	1.16(f)	Design filing fee (CPA) .....	340.00	170.00
1003/2003	1.16(g)	Plant filing fee .....	530.00	265.00
1004/2004	1.16(h)	Reissue filing fee .....	770.00	385.00
1009/2009	1.16(h)	Reissue filing fee (CPA) .....	770.00	385.00
1204/2204	1.16(i)	Reissue independent claims over original patent .....	86.00	43.00
1205/2205	1.16(j)	Reissue claims in excess of 20 and over original patent .....	18.00	9.00
1005/2005	1.16(k)	Provisional application filing fee .....	160.00	80.00
1052/2052	1.16(l)	Surcharge - Late provisional filing fee or cover sheet .....	50.00	25.00
1053	1.17(i)	Non-English specification .....	130.00	
<b>Patent Post-Allowance Fees</b>				
1501/2501	1.18(a)	Utility issue fee .....	1,330.00	665.00
1502/2502	1.18(b)	Design issue fee .....	480.00	240.00
1503/2503	1.18(c)	Plant issue fee .....	640.00	320.00
1504	1.18(d)	Publication fee for early, voluntary, or normal publication .....	300.00	
1505	1.18(d)	Publication fee for republication .....	300.00	
<b>Patent Maintenance Fees</b>				
1551/2551	1.20(e)	Due at 3.5 years .....	910.00	455.00
1552/2552	1.20(f)	Due at 7.5 years .....	2,090.00	1,045.00
1553/2553	1.20(g)	Due at 11.5 years .....	3,220.00	1,610.00
	1.20(h)	Surcharge - Late payment within 6 months .....	130.00	65.00
1557	1.20(i)(1)	Surcharge after expiration - Late payment is unavoidable .....	700.00	
1558	1.20(i)(2)	Surcharge after expiration - Late payment is unintentional .....	1,640.00	
<b>Miscellaneous Patent Fees</b>				
1801/2801	1.17(e)	Request for continued examination (RCE) (see 37 CFR 1.114) .....	770.00	385.00
1808	1.17(i)	Processing fee, except in provisional applications .....	130.00	
1803	1.17(i)	Request for voluntary publication or republication .....	130.00	
1802	1.17(k)	Request for expedited examination of a design application .....	900.00	
1804	1.17(n)	Request for publication of SIR - Prior to examiner's action .....	920.00*	
1805	1.17(o)	Request for publication of SIR - After examiner's action .....	1,840.00*	
1806	1.17(p)	Submission of an Information Disclosure Statement .....	180.00	
1807	1.17(q)	Processing fee for provisional applications .....	50.00	
1809/2809	1.17(r)	Filing a submission after final rejection (see 37 CFR 1.129(a)) .....	770.00	385.00
1810/2810	1.17(s)	For each additional invention to be examined (see 37 CFR 1.129(b)) .....	770.00	385.00
1811	1.20(a)	Certificate of correction .....	100.00	
1812	1.20(c)(1)	Request for ex parte reexamination .....	2,520.00	
1813	1.20(c)(2)	Request for inter partes reexamination .....	8,800.00	
1814/2814	1.20(d)	Statutory disclaimer .....	110.00	55.00

\* Reduced by basic filing fee paid.

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PAYMENTS FROM FOREIGN COUNTRIES MUST BE PAYABLE AND IMMEDIATELY NEGOTIABLE IN THE UNITED STATES FOR THE FULL AMOUNT OF THE FEE REQUIRED

Fee Code	37 CFR	Description	Fee	Small Entity Fee (if applicable)
<b>Patent Application Extension Fees</b>				
1251/2251	1.17(a)(1)	Extension for response within first month	110.00	55.00
1252/2252	1.17(a)(2)	Extension for response within second month	420.00	210.00
1253/2253	1.17(a)(3)	Extension for response within third month	950.00	475.00
1254/2254	1.17(a)(4)	Extension for response within fourth month	1,480.00	740.00
1255/2255	1.17(a)(5)	Extension for response within fifth month	2,010.00	1,005.00
<b>Patent Appeals/Interference Fees</b>				
1401/2401	1.17(b)	Notice of appeal	330.00	165.00
1402/2402	1.17(c)	Filing a brief in support of an appeal	330.00	165.00
1403/2403	1.17(d)	Request for oral hearing	290.00	145.00
<b>Patent Petition Fees</b>				
1460	1.17(h)	Petitions to the Commissioner, unless otherwise specified	130.00	
1451	1.17(j)	Petition to institute a public use proceeding	1,510.00	
1452/2452	1.17(l)	Petition to revive unavoidably abandoned application	110.00	55.00
1453/2453	1.17(m)	Petition to revive unintentionally abandoned application	1,330.00	665.00
1454	1.17(t)	Acceptance of an unintentionally delayed claim for priority	1,330.00	
1455	1.18(e)	Filing an application for patent term adjustment	200.00	
1456	1.18(f)	Request for reinstatement of term reduced	400.00	
1457	1.20(j)(1)	Extension of term of patent	1,120.00	
1458	1.20(j)(2)	Initial application for interim extension (see 37 CFR 1.790)	420.00	
1459	1.20(j)(3)	Subsequent application for interim extension (see 37 CFR 1.790)	220.00	
<b>PCT Fees - National Stage</b>				
1609/2609	1.492(a)(1)	IPEA - U.S.	730.00	365.00
1610/2610	1.492(a)(2)	ISA - U.S.	770.00	385.00
1611/2611	1.492(a)(3)	USPTO not ISA or IPEA	1,080.00	540.00
1612/2612	1.492(a)(4)	Claims meet PCT Article 33(1)-(4) - IPEA - U.S.	100.00	50.00
1613/2613	1.492(a)(5)	Filing with EPO or JPO search report	920.00	460.00
1614/2614	1.492(b)	Claims - extra independent (over three)	86.00	43.00
1615/2615	1.492(c)	Claims - extra total (over twenty)	18.00	9.00
1616/2616	1.492(d)	Claims - multiple dependent	290.00	145.00
1617/2617	1.492(e)	Oath or declaration after twenty or thirty months from priority date	130.00	65.00
1618	1.492(f)	English translation after twenty or thirty months from priority date	130.00	
1619		Late payment fee	130.00	
1620		Confirmed precautionary designation - confirmation portion	52.00*	
1621		Transmitting application to Intl. Bureau to act as a receiving office	240.00	
1624		Confirmed precautionary designation - designation portion	104.00*	
<b>PCT Fees - International Stage</b>				
1601	1.445(a)(1)	Transmittal fee	240.00	
1602	1.445(a)(2)	PCT search fee - no U.S. application	700.00	
1603	1.445(a)(2)	PCT search - prior U.S. application	450.00	
1604	1.445(a)(3)	Supplemental search per additional invention	210.00	
1605	1.482(a)(1)	Preliminary examination fee - ISA was the U.S.	490.00	
1606	1.482(a)(1)	Preliminary examination fee - ISA not the U.S.	750.00	
1607	1.482(a)(2)	Additional invention - ISA was the U.S.	140.00	
1608	1.482(a)(2)	Additional invention - ISA not the U.S.	270.00	
<b>PCT Fees to WIPO or EPO</b>				
1702		Basic application fee (first thirty pages)	476.00*	
1703		Basic supplemental fee (for each page over thirty)	12.00*	
1704		International search (EPO)	1,119.00*	
1705		Handling fee	172.00*	
1707		Designation fee per country	104.00*	
1708		International CD cases	4,800.00*	

\* WIPO and EPO fees subject to periodic change due to fluctuations in exchange rate. Refer to the *Official Gazette of the United States Patent and Trademark Office* for current amounts.

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